

Remarks

The Office Action mailed May 9, 2005 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-20 are now pending in this application, of which claims 1, 8-10 and 13 have been amended. It is respectfully submitted that the pending claims define allowable subject matter.

The specification has been amended to correct clerical errors in the application as filed, and to add the patent number of a related application.

The rejection of claims 1, 5-7, 8, 11, 12, 13, and 17-20 under 35 U.S.C. § 103(a) as being anticipated by Bianchini et al. (U.S. Patent No.) in view of Amorim (U.S. Patent No.) is respectfully traversed.

Bianchini is cited for disclosing a transceiver assembly, a guide frame, and a heat sink, but the Office Action acknowledges that Bianchini does not disclose a plurality of guide frames. Amorin is cited for disclosing a plurality of guide frames. Applicant respectfully submits, however, that the present invention is not simply a plurality of guide frames and a plurality of heat sinks.

Claim 1 recites a receptacle assembly, comprising "a plurality of guide frames, each of said guide frames having top, bottom and side walls joined to form an interior cavity configured to receive an electrical module, each of said plurality of guide frames having a heat sink opening extending through one of said top, bottom and side walls;" "a heat sink mounted over each of said guide frames and extending through a respective one of said heat sink openings, each respective heat sink having an engagement surface located proximate said interior cavity of said respective guide frame, said engagement surface of each heat sink being configured to physically contact a respective module when installed in said respective interior cavity," and "a single heat sink clip spanning said plurality of guide frames."

Bianchini in view of Amorim does not suggest a single heat sink clip spanning a plurality of guide frames. Bianchini disclose a single guide frame with a single heat sink and clip therefor. Amorim does not describe heat sinks at all, and consequently does not disclose a heat sink clip. Thus, because neither of the references teach a *single* clip spanning a *plurality* of guide frames, the combination of references does not fairly suggest the invention of claim 1.

Claim 1 is therefore submitted to be patentable over Bianchini in view of Amorim.

Claims 5-7 depend from claim 1, and when the recitations of claims 5-7 are considered in combination with the recitations of claim 1, claims 5-7 are likewise submitted to be patentable over Bianchini in view of Amorim.

Independent claim 8 recites a transceiver receptacle assembly, comprising: "a plurality of guide frames aligned with one another, each said guide frame having top, bottom and side walls joined to form an interior cavity configured to receive a transceiver, said top wall having a heat sink opening therethrough;" "a plurality of heat sinks, each of said heat sink mounted over each respective heat sink opening of said guide frames, each said heat sink having an engagement surface located proximate said interior cavity of each respective guide frame, said engagement surface of said heat sink being configured to physically contact the transceiver when installed in said interior cavity;" and "a plurality of interposer spring elements, each of said interposer spring elements exerting a normal force on a respective one of said plurality of heat sinks;" and "a single clip extending over said plurality of interposer spring elements."

Applicant respectfully submits that the cited art does not disclose or suggest the plurality of interposer spring elements recited in claim 12, together with a single clip extending over the plurality of interposer spring elements. Applicants note that the Office Action itself states that "the prior art is silent regarding the plurality of interposer spring elements in contact with the heat sink clip and exerting a clamping force on the plurality of heat sinks." See Office Action dated May 9, 2005 page 3, paragraph 3. Claim 8 is therefore submitted to be patentable over Bianchini in view of Amorim.

Claims 11 and 12 depend from claim 8, and when the recitations of claims 11 and 12 are considered in combination with the recitations of claim 8, claims 11 and 12 are likewise submitted to be patentable over Bianchini in view of Amorim.

Claim 13 recites, an electronic transceiver assembly, comprising: "a plurality of guide frames, each of said guide frames having top, bottom and side walls joined to form an interior cavity and having a heat sink opening extending through one of said top, bottom and side walls;" "a plurality of transceivers, each respective transceiver configured to be received in a respective one of said guide frames;" "a plurality of heat sinks, each respective heat sink mounted over a respective one of said guide frames and extending through a respective one of said heat sink openings, each respective heat sink having an engagement surface located proximate said interior cavity of said respective guide frame, said engagement surface of each heat sink being configured to physically contact a respective one of said transceivers when installed in said respective interior cavity;" and "a single heat sink clip spanning said plurality of guide frames."

As noted above, neither of the Bianchini or Amorim references teach a *single* clip spanning a *plurality* of guide frames, and consequently the combination of references does not fairly suggest the invention of claim 13.

Claims 17-20 depend from claim 13, and when the recitations of claims 17-20 are considered in combination with the recitations of claim 13, claims 17-20 are likewise submitted to be patentable over Bianchini in view of Amorim.

For the reasons set forth above, Applicants request that the Section 103 rejection of claims 1, 5-7, 8, 11, 12, 13, and 17-20 be withdrawn.

The rejection of claims 1, 5-7, 8, 11, 12, 13, and 17-20 under the judicially created doctrine of obviousness type double patenting over claims 1-21 of U.S. Patent No. 6,816,376 in view of Amorim is respectfully traversed.

U.S. Patent No. 6,816,376, as referenced in paragraph [0001] of the present specification, relates in subject matter to the present invention and is commonly owned with the present

application Under the proper analysis for obviousness type double patenting, the claims of the commonly owned Patent No. 6,816,376 must be compared with the claims of the present application, and the commonly owned patent is not prior art to the pending claims. Rather, the sole inquiry is whether the claims in the instant application would be obvious over the claims of the commonly owned patent. See M.P.E.P. § 804. In the present case, there has been no showing that the claims of U.S. Patent No. 6,816,376 and the presently pending claims are not patentably distinct, and there is no showing regarding why the presently claimed invention would be obvious over the issued claims of U.S. Patent No. 6,816,376. None of the issued claims 1-21 of Patent No. 6,816,376 are suggestive of a single clip spanning a plurality of guide frames and securing multiple heat sinks to different guide frames, and as noted above, Amorim does not disclose heat sinks or retaining clips for heat sinks at all, and is not believed to add anything to the claims of U.S. Patent No. 6,816,376 that would support the alleged obviousness of the present claims.

For the reasons set forth above, Applicants request that the rejection of claims 1, 5-7, 8, 11, 12, 12, 13, and 17-20 be withdrawn.

The objection to claims 2-4, 9, 10 and 14-16 as being dependent upon rejected base claims is respectfully traversed. The independent claims from which claims 2-4, 9, 10 and 14-16 depend are submitted to be patentable over the cited art for the reasons set forth above, and when claims 2-4, 9, 10 and 14-16 are considered in combination with their base claims, claims 2-4, 9, 10 and 14-16 are likewise submitted to be patentable over the cited art.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,



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